



THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, NY 10007

ZACHARY W. CARTER
Corporation Counsel

ALEXANDER NOBLE
Assistant Corporation Counsel
phone: (212) 356-2357
fax: (212) 356-3509
email: anoble@law.nyc.gov

April 8, 2016

VIA ECF

Honorable Jesse M. Furman
United States District Judge
Southern District of New York
40 Centre Street
New York, New York 10007

Re: Smith v. City of New York, et al., 15 Civ. 0446 (JMF)

Your Honor:

I am Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney for defendants City of New York, C.O. Okvist, C.O. Smith, C.O. Grant, and C.O. Farrow (hereinafter “defendants”) in the above-referenced action. I write in response to the Court’s Order dated March 18, 2016 directing defendants to provide the Court with a status update by today, April 8, 2016, regarding production of certain materials referenced in plaintiff’s March 2, 2016 letter, electronically filed under Docket Entry No. 26.

As Your Honor is aware, plaintiff filed a letter on March 2, 2016 raising discovery issues relating to defendants’ production of documents and video materials pursuant to Local Rule 33.2 (hereinafter “L.R. 33.2”). (See Docket Entry No. 26) Plaintiff’s March 2, 2016 letter additionally stated that plaintiff had sent a video disk he had received from defendants to a family member, but that the disk could not be played due to an apparent technical issue. (See Docket Entry No. 26) On March 13, 2016, defendants responded to plaintiff’s letter by forwarding to plaintiff additional copies of the records that plaintiff had requested, along with a letter requesting that plaintiff’s family member contact the undersigned for instructions regarding how to properly access the video files on the disk. Defendants have yet to receive any response from plaintiff regarding the video disk. However, defendants note that plaintiff was recently relocated to a new correctional facility, as indicated in plaintiff’s Change of Address form filed under Docket Entry No. 29. As a precaution, defendants are forwarding an additional letter to plaintiff requesting that his family member in possession of the video disk contact the undersigned. Defendants further request that the Court permit the undersigned to file a letter by

April 22, 2016 providing the Court with an update regarding the status of plaintiff's access to the video disk.

Defendants thank the Court for its consideration.

Respectfully submitted,

/s/ Alexander Noble

Alexander Noble
Assistant Corporation Counsel

VIA FIRST CLASS MAIL
cc: Osmondo D. Smith
Plaintiff Pro Se
#16A0312
Attica C.F.
Attica, NY 14011